

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

RALPH R. NELSON,

Plaintiff

VS.

C.A. No. 04-CV-10845-GAO

TONYA MARIE COFFEY (NELSON);
SHERRI Z. HELLER, CARLA TOWNSEND,
ROBERT SUVER, DANNETTA GRAVES,
VIRGINIA BROWN, SANDRA MENDENHALL,
DEBBIE MARTINEAU, HOLLY PAYNE,
JOEL SALWY, CHINA L. WIDENER, TOM
HAYES and MARILYN RAY SMITH,

Defendants.

CERTIFICATION UNDER LOCAL RULE 7.1

Counsel for the defendant, Marilyn Ray Smith, hereby certifies, pursuant to Local Rule 7.1(A)(2), that I conferred with the pro se plaintiff, Ralph R. Nelson, on July 13, 2004, and attempted in good faith to resolve or narrow the issues set forth in Defendant Marilyn Ray Smith's Motion to Dismiss Plaintiff's Complaint.

Respectfully submitted,
DEPUTY COMMISSIONER MARILYN
RAY SMITH

By her attorneys,
THOMAS F. REILLY
ATTORNEY GENERAL
/s/ Sarah M. Joss
Sarah M. Joss, BBO #651856
Assistant Attorney General
Trial Division
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Dated: July 14, 2004

CERTIFICATE OF SERVICE

I, Sarah M. Joss, Assistant Attorney General, hereby certify that I have this day, July 14, 2004, served the foregoing document upon the parties, by mailing a copy, first class, postage prepaid to:

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/s/ Sarah M. Joss

Sarah M. Joss